

City of Detroit

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INTERNAL OPERATIONS STANDING COMMITTEE

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Mr. Deonte Agee
Asst. City Council Committee Clerk

WEDNESDAY, JANUARY 9, 2018

10:00 A.M.

- A. ROLL CALL**
- B. CHAIR REMARKS**
- C. APPROVAL OF MINUTES**
- D. PUBLIC COMMENT**
 - a. Member Reports
 - b. General Public

UNFINISHED BUSINESS

1. Status of Law Department submitting reso. autho. Legal Representation and Indemnification in lawsuit of Eugenia Foster v City of Detroit; Civil Action Case No: 17-cv-13687; for Captain Donna Torres, and Civilian Director James Fleming. **(BROUGHT BACK AS DIRECTED ON 11-14-18)**
2. Status of Law Department submitting reso. autho. Settlement in lawsuit of Gaylon Jefferson & Lapez Moore v City of Detroit and Harry Ward (individually); Wayne County Circuit Court Case No. 17-016621-CD. **(BROUGHT BACK AS DIRECTED ON 11-14-18)**

3. Status of **Law Department** submitting reso. autho. **Settlement** in lawsuit of Timothy and Hatema Davis v City of Detroit, LT. Charles Flanagan, Arthur Leavells, Amy Matellic, Larry Barnett, Steven Riley, Matthew Bray, Brian Johnson, Reginald Beasley, and Sgt. Stephen Geelhood; Case No: 15-10547; File No: L15-00153 (CNR). **(BROUGHT BACK AS DIRECTED ON 11-14-18)**
4. Status of **Council President ProTem Mary Sheffield** submitting memorandum relative to Cash Bail Elimination Resolution. **(BROUGHT BACK AS DIRECTED ON 11-14-18)**
5. Status of **Council Member Raquel Castaneda-Lopez** submitting memorandum relative to Election Results of Precinct Delegate Write-In Candidates. **(BROUGHT BACK AS DIRECTED ON 11-14-18)**

NEW BUSINESS

MAYOR'S OFFICE

6. Submitting correspondence relative to the appointment of Carron Pinkins as an At-large member of the Human Rights Commission, beginning immediately upon City Council approval and ending on November 20, 2021. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
7. Submitting correspondence relative to the appointment of David Massaron as Acting Chief Financial Officer and the appointment of Hakim Berry as Acting Chief Operating Officer. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
8. Submitting report relative to the Reappointment of Gina Hughes as a member of the Fire Board of Appeals. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**

OFFICE OF CONTRACTING AND PROCUREMENT

Submitting the following **Office of Contracting and Procurement Contracts:**

9. Please be advised that the Contract listed was submitted on December 7, 2017 for the City Council Agenda for December 11, 2017 has been amended as follows:

Submitted as:

Contract No. 6001121 – 100% City Funding – To Provide Entire City of Detroit and Departments with Water, which include the Following: 5 – Gallon Distilled Water, 5 – Gallon Natural Spring Water, Bottle Water, Cooler Dispensers and 16.9 Oz Spring Water Cases – Contractor: Absopure Water Company, Location: 8835 General Drive, P.O. Box 701760, Plymouth, MI 48170 – Contract Period: December 31, 2017 through December 31, 2019 – Total Contract Amount: \$39,224.00 **CITYWIDE**

Should read as:

Contract No. 6001733 - 100% City Funding – To Provide Entire City of Detroit and Departments with Water, which include the Following: 5 – Gallon Distilled Water, 5 –

Gallon Natural Spring Water, Bottle Water, Cooler Dispensers and 16.9 Oz Spring Water Cases – Contractor: Absopure Water Company, Location: 8835 General Drive, P.O. Box 701760, Plymouth, MI 48170 – Contract Period: December 31, 2017 through December 31, 2019 – Total Contract Amount: \$39,224.00 **CITYWIDE (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**

LAW DEPARTMENT

10. Submitting reso. autho. **Settlement** in lawsuit of Demar Parker v City of Detroit, et al; Case No. #2-16-cv-13036; File No.: L-16-00682 (GBP), in the amount of \$97,500.00, by reason of the Constitutional Violations alleged to have occurred on or about August 14, 2015. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
11. Submitting reso. autho. **Settlement** in lawsuit of Latrina Williams v City of Detroit/Wayne County Circuit Court; Case No.: 17-017886-NO; File No.: L-18-00006 (MA), in the amount of \$30,000.00, by reason of alleged injuries or property damage sustained by Latrina Williams on or about May 23, 2017 as otherwise set forth in Case No. 17-017886-NO filed in the Wayne County Circuit Court. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
12. Submitting reso. autho. **Settlement** in lawsuit of Larry Graves v. City of Detroit; Case No: 17-012870-NI; File No: L17-00620, in the amount of \$40,000.00, in full payment of any and all claims which Larry Graves may have against the City of Detroit for alleged injuries sustained on or about December 5, 2015. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
13. Submitting reso. autho. **Settlement** in lawsuit of Presidential Transportation (Raleigh Kirkesy) v. City of Detroit; Case No: 18-154193-GC; File No: L18-00341 (RJB), in the amount of \$7,000.00, in full payment of any and all claims which Presidential Transportation may have against the City of Detroit by reason of alleged injury sustained on or about October 3, 2016. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
14. Submitting reso. autho. **Settlement** in lawsuit of Brown Environmental Construction Company, Inc. and Jessie Brown v. City of Detroit; United States District Court for the Eastern District of Michigan Case No: 18-11398-AC; File No: L18-00274 (EBG), in the amount of \$160,000.00 payable to Brown Environmental Construction Company, Inc. through Purchase Order Number 3030045, upon receipt of a properly executed Release and appropriate Stipulation and Order of Dismissal to be entered in United States District Court for the Eastern District of Michigan Case No. 18-11398-AC, approved by the Law Department. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
15. Submitting reso. autho. **Settlement** in lawsuit of Automotive Tumbling, Inc. and Dale Webster v. City of Detroit; Wayne County Circuit Court Case No: 18-000220-CH; File No:

L18-00083 (EBG) in the amount of \$75,000.00 through a properly executed Release and a Stipulation and Order of Dismissal entered in Wayne County Circuit Court Case No. 18-000220-CH, approved by the Law Department. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**

16. Submitting reso. autho. **Settlement** in lawsuit of Rhonda Ervin v. City of Detroit; Case No: 17-007650-NF; File No: L17-00379(CLR) in the amount of \$13,500.00 in full payment of any and all claims which Rhonda Ervin may have against the City of Detroit and any other City of Detroit employees by reason of injuries sustained on or about October 22, 2015. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
17. Submitting reso. autho. **Settlement** in lawsuit of Southfield Pain Management v. City of Detroit; Case No: 18-002023-NF; File No: L17-00716(MBC) in the amount of \$9,000.00 in full payment of any and all claims which Southfield Pain Management may have against the City of Detroit and any City of Detroit Employees by reason of alleged injuries or property damage sustained by Gabriele Mullen on or about August 6, 2016. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
18. Submitting reso. autho. **Acceptance of Case Evaluation Award** in lawsuit of Stanley Rogers v. City of Detroit; Case No: 17-015314-NI; File No: L17-00728(MA), in the amount of \$29,500.00, in full payment of any and all claims which Stanley Rogers may have against the City of Detroit, Centrus Williams, and any City of Detroit employees by reason of alleged injuries sustained or property damage by Stanley Rogers on or about December 3, 2015. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
19. Submitting reso. autho. **Acceptance of Case Evaluation Award** in lawsuit of Kissia Alexander v. City of Detroit; Case No: 17-015641-NI; File No: L17-00816 (PMC), in the amount of \$9,500.00, in full payment of any and all claims which Kissia Alexander may have against the City of Detroit by reason of alleged injuries sustained by Kissia Alexander on or about October 29, 2016, as otherwise set forth in Case No. 17-015641-NI in the Wayne County Circuit Court. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
20. Submitting reso. autho. **Acceptance of Case Evaluation Award** in lawsuit of Michigan Pain Management LLC v. City of Detroit; Case No: 18-002246-NF; File No: L18-00180 (MBC), in the amount of \$18,500.00 in full payment of any and all claims which Michigan Pain Management has against the City of Detroit, by reason of alleged injuries sustained by Terry Peterson on or about August 31, 2016. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
21. Submitting reso. autho. **Acceptance of Case Evaluation Award** in lawsuit of Mary Thomas, et al v. City of Detroit; Case No: 17-013478-NI; File No: L17-00652 (PMC), in the amount of \$37,250.00 in full payment of any and all claims which the parties may have against the City of Detroit by reason of alleged injuries sustained by Mary Thomas on or

about May 24, 2017, as otherwise set forth in Case No. 17-013478-NI in the Wayne County Circuit Court. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**

22. Submitting report relative to MVA Settlements as authorized by resolution of the Detroit City Council. **(The Law Department has filed a privileged and confidential memorandum in reference to the above-referenced matter.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
23. Submitting report relative to Tax Collection Initiative on Foreclosed Properties as authorized by resolution of the Detroit City Council. **(The Law Department has filed a privileged and confidential memorandum in reference to the above-referenced matter.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
24. Submitting report relative to Emergency Procurement of Legal Services – City Ordinance 18-5-21 – Amendment to Scope Only of Fink & Associates Contract. **(The Law Department has filed a privileged and confidential memorandum in reference to the above-referenced matter.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
25. Submitting report relative to Towing Issues – Request by Council Member Benson, and Towing Issues – Council Member McCalister. **(The Law Department has filed a privileged and confidential memorandum in reference to each of the above-referenced matters.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
26. Submitting memorandum relative to Access to Polls for Disabled Voters. **(Persons with Disabilities have expressed concerns about access at the polls – both at full formal sessions of City Council and, anecdotally, at polling places during Tuesday's elections. In voicing complaints, disabled voters have asked "who is responsible," and "what can be done to formally address their concerns?") (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
27. Submitting report relative to MVA Settlements as authorized by resolution of the Detroit City Council. **(The Law Department has submitted a privileged and confidential memorandum regarding the above-referenced matter.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
28. Submitting reso. autho. **Settlement** in lawsuit of Danny Saylor vs City of Detroit Water Department; File No.: 14710 (PSB), in the amount of \$87,044.00, by reason of any injuries or occupational diseases and their resultant disabilities incurred or sustained as the result of his past employment with the City of Detroit. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**

29. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of Michaelangelo Jackson, et al. v. City of Detroit, et al.; Wayne County Circuit Court C.A. No. 18-001339 NI; for P.O. Steven Fultz, Badge No: 141. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
30. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of Michaelangelo Jackson, et al. v. City of Detroit, et al.; Wayne County Court C.A. No. 18-001339 NI; for P.O. Richard Billingslea, Badge No: 971. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
31. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of Mikiah Jackson, et al. v. City of Detroit, et al.; Wayne County Circuit Court C.A. No. 18-001339 NI; for P.O. Hakeem Patterson, Badge No: 3639. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**

CITY PLANNING COMMISSION

32. Submitting report relative to Recodification of Chapter 61 of the 1984 Detroit City Code, Zoning, to Chapter 50 of the 2018 Detroit City Code. **(The City Planning Commission (CPC) respectfully recommends approval of the recodified Zoning chapter being submitted by the City Clerk and Law Department as part of the ordinance to effect the recodification of the 1984 Detroit City Code.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**

HUMAN RESOURCES/CLASSIFICATION AND COMPENSATION ADMINISTRATION

33. Submitting reso. autho. Request to amend the Official Compensation Schedule. **(Recommendation is submitted to amend the 2018 – 2019 Official Compensation Schedule to include the pay range of \$67,563 - \$110,330 WITH Step Code K for the classification of Assistant Director – DDOT Operations/Maintenance (94-10-03). (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**
34. Submitting reso. autho. Request to amend the Official Compensation Schedule. **(Recommendation is submitted to amend the 2018 – 2019 Official Compensation Schedule to include the pay ranges for the following Health Department classifications: Class Code: 33-90-27; Animal Control Investigator; Current Salary Range: \$32,780 - \$37,193; Recommended Rate of Pay: \$37,867 – \$48,012; and Class Code: 33-90-31; Supervising Animal Control Officer; Current Salary Range: \$38,874 - \$43,076; Recommended Rate of Pay: \$41,812 - \$51,583.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**

LEGISLATIVE POLICY DIVISION

35. Submitting report relative to Charter Revision; Overview and Issues. **(As Council Members know, the ballot initiative for a general City Charter revision was narrowly approved by Detroit voters in the August 2018 primary election. A new 9-member Charter Commission was elected on November 6, 2018 to revise the City Charter, and sworn in on November 20. This preliminary report is provided to: 1) advise Council**

and the public of the general background for a Charter Revision Commission in 2018-19; and 2) identify selected issues from the 2012 Charter Revision, without limitation or exclusion of meritorious new issues that Council Members or other Detroit residents may raise in the forthcoming Charter Revision process.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)

36. Submitting report relative to a review of the Michigan Lame-Duck Bills (Nov. 18, 2018-Dec. 31, 2018). **(Due primarily to the impact of Michigan's State office term limits law, there was a significant turnover of lawmakers in both the Michigan State House and Senate. This year, during the State Legislature's Lame-Duck Session, the State House and Senate submitted approximately 340 bills for the Governor to consider, of those bills, the Governor vetoed 55 bills. It appears the term limits law has influenced the legislature to promote bills which disproportionately support the concerns of special interest, while railing against causes which would help the less fortunate of Michigan, such as curtailing the recent voter approved referendum on minimum wage increases, under Senate Bill 1171, which is detailed in this report. We have attached a complete list of the Lame Duck legislation and actions for Council's edification.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**

OFFICE OF THE CITY CLERK

37. Submitting reso. autho. Petition of Detroit Repertory Theatre (#587), request resolution from your Honorable Body for a Charitable Gaming License. **(Therefore, approval of the petition is recommended and an appropriate resolution is attached.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 1-9-19)**